

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF: Duggan

OUR FILE NO: 10-476 US

SERIAL NUMBER: New application

GROUP: New application

FILED: New application

EXAMINER: New application

TITLE: OPTICAL FILTER USING LINEAR VARIABLE FILTER WITH ELLIPTICAL BEAM
GEOMETRY

IDS
5/11/02
C. P. Lewis
10/059413
01/31/02

Information Disclosure Statement

January 30, 2002

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Dear Sir:

Transmitted herewith is an Information Disclosure Statement (Form PTO-1449) in the above-captioned application with references.

Certification

This Information Disclosure Statement is submitted within three months of:

- (i) the filing date of the above-identified U.S. National Patent application, or
- (ii) the date of entry into the U.S. National Stage of the above-identified International Application, or
- (iii) the date of entry into the U.S. National Stage of the International Application that has been assigned the above-identified U.S. Patent application number, whichever applies.

This Information Disclosure Statement is submitted prior to the mailing date of the first Office Action on the merits received by Applicant in the above-identified application.

This Information Disclosure Statement is submitted after three months from

- (i) the filing date of the above-identified U.S. National Patent application, or
- (ii) after three months from entry into the U.S. National Stage of the above-identified International Application; or
- (iii) the date of entry into the U.S. National Stage of the International Application that has been assigned the above-identified U.S. Patent application number, whichever applies; and after the mailing date of the first Office Action on the merits of the above-identified application, but prior to issuance of the earlier of any Final Action or Notice of Allowance sent in such application. The certification under 37 C.F.R. § 1.97(e) is submitted separately or below, or the fee required under 37 C.F.R. § 1.97(c) and § 1.17(p) is submitted herewith.

This Information Disclosure Statement is submitted after the earlier of the mailing date of a final rejection or Notice of Allowance sent in this application but before payment of the Issue Fee. The certification required under 37 C.F.R. § 1.97(e) is submitted separately or below. A petition to the Commissioner and the appropriate fee pursuant to § 1.17(i) (1) are submitted herewith.

____ A certification under 37 C.F.R §1.97 is submitted herewith separately from this paper.

____ It is hereby certified that each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

____ No item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this statement.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No: 50-1465.

Respectfully,



Juliusz Szereszewski
Regn No: 32,672

Juliusz Szereszewski
Patent Agent
JDS Uniphase Corporation
Intellectual Property Dept.
570 West Hunt Club Road
Nepean, Ontario, Canada,
K2G 5W8

Tel: (613) 727 1304 Ext. 1384
Fax: (613) 823 9957
Email: juliusz.szereszewski@ca.jdsuniphase.com